

REMARKS

The Office Action mailed May 17, 2005 has been reviewed and carefully considered. Claims 14-17 are added. Claims 1-17 are pending, the independent claims being 1, 12 and 14. Claims 1 and 12 are amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 1-13 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent Publication No. 2002/0065099 to Bjorndahl in view of U.S. Patent Publication No. 2002/0022453 to Balog et al. ("Balog").

Claim 1, as amended, recites, ". . . the profile database containing data representing a characteristic behaviour of an associated user identifiable by the user's terminal network address or addresses . . . said data being transferred, for storage in the profile database, to the at least one server via said portable communications device following establishment of a connection via said second network."

Balog, by contrast, relates to characteristics of a device.

In addition, the Office Action appears to suggest that Balog characteristics make their way through the PSTN to the Bjorndahl home base station 40, to be relayed to the mobile phone 26, and somehow find their way back to the PSTN for settling in Balog user profile 28 in the mobility server 34. Balog explains how it acquires device characteristics in the last sentence of [0032]. In view of this explanation by Balog, it is unclear to the applicant why characteristics would make their way the PSTN to the base station 40.

Moreover, between the mobile phone 26 and the base station 40, only the latter can be construed as having a "terminal network address," leaving uncertain the role of the mobile phone in the above hypothetical information route the Office Action seemingly proposes.

Also, the Office Action appears to endow the mobile phone in this scenario with the function of storing the incoming information, switching to the other mode of operation, and relaying the stored information. Motivation for such a sequence of operations is unclear to the applicant.

It is accordingly unclear, to the applicant, in what manner and by what motivation, the Office Action is combining the two references.

Support for the amendment of claim 1, and its counterpart method claim 12, is found in the specification (e.g., page 5, lines 16-17).

New claim 14, a rewording of claim 1, finds support in claim 1 and in the specification (e.g., page 5, lines 16-17; page 6, line 29 - page 7, line 8), and is believed to distinguish patentably over the two references for at least all of the reasons set forth above with regard to claim 1.

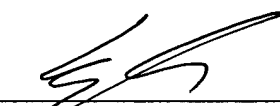
New claims 15-17 find support in the specification (e.g., page 6, line 17 - page 7, line 7).

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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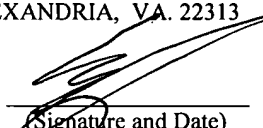

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